IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.8731 OF 2005

Renukumari Singh. ...Petitioner.
Vs.
The State of Maharashtra & Ors. ...Respondents.

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Ms. A. V. Latne for the Petitioner.
Mr. C. R. Sonawane, AGP for the Respondents.

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CORAM : F.I. REBELLO, J. AND
DR.D.Y.CHANDRACHUD, J.

February 2, 2006.

P.C.

The Committee has recorded the finding that the Petitioner's father was born in Bihar and consequently, the Petitioner would not be entitled to the benefit of reservation in the State of Maharashtra. We find no error in the order of the Committee.

The Learned Counsel for the Petitioner states that the Petitioner has been admitted and prosecuting her studies and in these circumstances, she should be allowed to continue with the studies. In **Kum. Madhuri Patil and another vs. Addl. Commissioner, Tribal Development, Thane and others**, AIR 1997

SC 2581, one sister who was doing BDS Course, the Apex Court directed cancellation of the admission. There is only a direction that if the Petitioner could be adjusted against open seat, then to consider her case. The Apex Court in several judgments including the last judgment in **Bank of India and another vs. Avinash D. Mandivikar and others,** (2005) 7 SCC 690 has taken a that a person who is admitted by practicing fraud deserves no sympathy as such admission denies another student from the backward community from getting admission. In the instant case, the Petitioner could not have claimed benefit of reservation in the State of Maharashtra. In the circumstances, we find no merit in the request made on behalf of the Petitioner to permit her to continue. We, therefore, decline to exercise extraordinary jurisdiction. Petition rejected.

(F.I. Rebello, J.)

(Dr. D.Y. Chandrachud, J.)